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THE WHITE HOUSE
WASHINGTON

President's
Foreign Intelligence
Advisory Board

September 14, 1984

Executive Registry
84- 9217

Dear Mr. President:

We are writing to ask that you give urgent attention to a matter now before the Congress. Both the Senate and the House are prepared to pass legislation which would give the Central Intelligence Agency relief from some of the more onerous search and review requirements of the Freedom of Information Act. However, time is running out for passage of this bill as the end of the Congressional session nears.

Unfortunately, the current position of the Department of Justice with regard to the proposed legislation is complicating matters. One section of the bill would prevent further use by the Justice Department of the Privacy Act as a broad exemption from requests for information under the Freedom of Information Act. While this exemption is undoubtedly useful in relieving the Department of Justice and the Federal Bureau of Investigation of the burden of reviewing individual files in response to FOIA requests, the fact that this very issue is pending decision before the Supreme Court makes the continued use of that exemption quite problematic. In short, while the PFIAB is sympathetic to the Justice Department's concern, we believe that the immediate and certain benefits to be gained from the passage of the present legislation outweigh the uncertain advantages of attempting to modify the legislation in the brief time left in the present session.

The PFIAB's judgment is that the Justice Department's continued opposition to this one part of the legislation jeopardizes passage of the act itself. Further, we believe it essential that Congress pass this bill during the present session and not delay until next year when opposition is likely to be more heavily organized to defeat it. The Board thinks it is vital that progress be made in trimming back legislation enacted in the recent past which has had serious and deleterious effects on the intelligence agencies. However, before progress can be made, the Executive Branch must be united in its presentation on Capitol Hill.

We strongly recommend that you resolve this matter in order that the best interests of the Intelligence Community are protected.

Sincerely,

Anne L. Armstrong

Anne L. Armstrong
Chairman

The President
The White House
Washington, D. C.

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